

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE: Revstone Industries LLC

George S. Hofmeister,	:	
		Appellant,
v.	:	C. A. No. 13-565
Official Committee of Unsecured Creditors of Revstone Industries LLC,	:	Bankruptcy Case No. 12-13262
		AP No. 13-26
Appellee.	:	

IN RE: Revstone Industries LLC

Official Committee of Unsecured Creditors of Revstone Industries LLC,	:	
		Appellant,
v.	:	C. A. No. 13-566
George S. Hofmeister,	:	Bankruptcy Case No. 12-13262
		AP No. 13-30
Appellee.	:	

RECOMMENDATION

At Wilmington this 8th day of November, 2013.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern
Mediation of Appeals from the United States Bankruptcy Court for this District dated
September 11, 2012, teleconferences were held on April 30, 2013 and November 8, 2013
for an initial review and discussion with counsel to determine the appropriateness of
mediation in this matter;

WHEREAS, as a result of the above screening process, the issues involved in this case are not amenable to mediation and mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process. Serious disputes exist not only between the parties involved in these appeals, but other parties involved in the ongoing bankruptcy. Prior attempts among those parties to resolve their disputes have been unsuccessful.

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), these matters be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. The parties were advised of their right to file objections to this Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1. If any objections are filed, they shall be done within **five (5) days** of this Recommendation and are limited to **two (2) pages**. The objections may be done in letter format and captioned and docketed as "Objections to the Recommendation dated November 8, 2013." Any response shall be due within **five (5) days** of the objections and are limited to **two (2) pages**. The response to the objections may be in letter format and captioned and docketed as "Response to Objections to the Recommendation dated November 8, 2013."

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
UNITED STATES MAGISTRATE JUDGE